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7 **UNITED STATES DISTRICT COURT**  
8 **NORTHERN DISTRICT OF CALIFORNIA**  
**AT SAN FRANCISCO**

9 AMERICAN FEDERATION OF  
GOVERNMENT EMPLOYEES, AFL-CIO,  
10 et al.,

11 Plaintiffs,

12 v.

13 UNITED STATES OFFICE OF  
PERSONNEL MANAGEMENT, et al.,  
14

15 Defendants.  
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NO. 3:25-cv-01780-WHA

DECLARATION OF SHANE  
ESQUIBEL

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NO. 3:25-cv-01780-WHA

ATTORNEY GENERAL OF WASHINGTON  
Complex Litigation Division  
800 Fifth Avenue, Suite 2000  
Seattle, WA 98104-3188  
(206) 464-7744

1 I, Shane Esquibel, declare as follows:

2 1. I am over the age of 18, competent to testify as to the matters herein, and make  
3 this declaration based on my personal knowledge and information I have received in my official  
4 state government role.

5 2. I am the Chief Operations Officer for Washington State Governor Bob Ferguson.  
6 In this role (known as the Chief of Staff in other administrations), I am the director of the  
7 Governor's executive leadership team, which supports the Governor by fulfilling a wide range  
8 of duties, including leading the implementation of the Governor's policy and management  
9 initiatives. I am also the leader of the Governor's executive cabinet, which is comprised of 24  
10 agencies charged with the execution, enforcement, and administration of the laws of the state of  
11 Washington, and whose agency heads are appointed by the Governor. As such, I have a broad  
12 perspective on, and a key role in implementing, the operations of Washington's state  
13 government. In this capacity, I routinely receive information from state agencies and Governor's  
14 Office staff that is pertinent to my operational and oversight role.

15 3. I submit this declaration to set forth the myriad ways in which the State of  
16 Washington relies on the services of agencies across the federal government, including the work  
17 of federal employees located in the State of Washington and those who work in other states and  
18 the District of Columbia. Reduced staffing at any of the federal agencies the State relies on and  
19 interacts with every day will directly impact the State and its citizens, far beyond the immediate  
20 harm to federal employees based in Washington who have lost their livelihood and benefits as  
21 the result of Defendants' actions challenged in this lawsuit. The State faces imminent harm as  
22 the result of the reductions and delays in services provided by numerous federal agencies that  
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1 stem from the termination of probationary employees, including impairment of the State's ability  
2 to fulfill its many obligations and increased expenditure of the State's scarce resources.

3 4. Washington is one of several states currently facing a severe budget shortfall.  
4 Due to inflation, higher projected caseloads in several safety net programs, expansion of popular  
5 programs like early learning, and workforce costs, combined with declines in revenues due to  
6 lagging home sales and collections for sales and capital gains taxes, Washington is facing a  
7 forecasted budget deficit of over \$15 billion over the next four years. The Governor recently  
8 directed many state agencies to propose 6% cuts to their budgets to help address this shortfall.  
9 Agencies whose missions are to serve Washingtonians in various important ways have already  
10 had to make very difficult decisions to achieve these proposed cuts.

11 5. The loss of federal employees who provide services that affect the State will  
12 increase the financial burden on Washington when the State can least afford it, which would  
13 worsen Washington's budget shortfall and make it much more difficult for state agencies and  
14 the state legislature to prioritize budget needs.

15 6. Washington contains numerous federal offices and extensive federal lands,  
16 including three National Parks (Olympic, North Cascades, and Mount Rainier), eight National  
17 Forests, extensive lands administered by the Bureau of Land Management, six military bases  
18 (which employ significant numbers of civilian staff), and significant dams on the Columbia and  
19 Snake Rivers run by the Bureau of Reclamation and Army Corps of Engineers. The State  
20 interacts with and relies on federal agencies and federal government employees in countless  
21 ways to protect the welfare of its citizens, manage its natural resources, prepare for and respond  
22 to natural disasters and severe weather conditions, fight communicable diseases, combat  
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1 homelessness, advance scientific and medical discoveries, support the State's veteran  
2 community and much more. The following are merely examples of ways in which the State relies  
3 on federal agencies and federal employees.

4         7.       The State relies directly on the Department of Housing and Urban Development's  
5 (HUD) assistance in combatting our region's housing crisis, including HUD's programs to  
6 expand home ownership and the availability of low-income housing. For example, the  
7 Washington State Department of Commerce (Commerce) administers HUD's HOME Rental  
8 Development program, a block grant program used to preserve and create affordable housing for  
9 very low-income households. HOME Rental Development funds are awarded to non-profit  
10 organizations, housing authorities, and local and tribal governments through the State  
11 multifamily rental housing application process. The State also partners with HUD to provide  
12 protection to the public against discrimination in housing. Washington relies on HUD to refer  
13 complaints of housing discrimination to the State for investigation. HUD also provides  
14 significant training and technical assistance resources to the Washington State Human Rights  
15 Commission, as well as its Office of Equity.

16         8.       I understand that HUD has already terminated many probationary employees,  
17 with more terminations slated, and now intends to shutter the regional office in Seattle—  
18 apparently the only regional office in the country that will be closed. According to the  
19 Governor's policy office, terminations at HUD could effectively incapacitate Washington's  
20 housing authorities. Washington has 37 housing authorities that provide vital services to low-  
21 income Washingtonians and their families, much of which is funded by grants administered by  
22 HUD. Even if the federal government made no effort to to halt HUD funding directly, mass  
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1 terminations could have similar practical effects. For example, while local housing authorities  
2 are responsible for processing applications for housing vouchers, confirming applicant  
3 eligibility, and distributing vouchers, these operations are contingent on HUD's ability to timely  
4 perform several crucial functions. HUD must review and approve the housing authorities' annual  
5 plans as well as any significant amendments or modifications. The PHA's eligibility for funding  
6 depends on these approvals. Likewise, vouchers are tied to the fair-market rent for housing  
7 within the market in which the voucher recipient resides. The fair-market rent levels are  
8 calculated and set by HUD staff. Rental markets are fluid, and if staff is unavailable to timely  
9 adjust these calculations, voucher recipients will likely find rent levels outpacing their voucher  
10 value. And if vouchers are not used, they are cancelled—leaving recipients bereft of this form  
11 of housing support entirely. Similarly, several Washington housing authorities own and operate  
12 low-income housing units. A portion of the operating costs for these properties is defrayed by  
13 HUD. The amount of this federal support is decided by HUD staff based on certain Operating  
14 Cost Adjustment Factors. If HUD staff are unable to timely update these factors, assistance for  
15 operational expenses will not keep pace with actual costs.

16 9. I further understand that HUD also administers formula and block grants through  
17 which the State, as well as Washington cities and counties, receive over \$200 million annually  
18 to address homelessness. For example, HUD administers the Continuum of Care Program, which  
19 funds most county and regional programs in Washington designed to address homelessness and  
20 quickly rehouse homeless individuals and families, including persons fleeing domestic violence  
21 or sexual assault and homeless youth. If HUD lacks adequate staff to issue Requests for  
22 Proposals, review grant applications, and issue and award contracts, State and local  
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1 governmental entities in Washington will face protracted delays or gaps in their funding, creating  
2 uncertainty in budgeting and planning. For smaller providers, extended delays would result in  
3 programs being shuttered.

4 10. The State also relies on the U.S. Department of Health and Human Services  
5 (HHS) to enhance the health and well-being of Washingtonians—and all Americans—by, among  
6 other things, fostering advances in medicine, public health, and social services. I understand that  
7 HHS's Region 10 office, headquartered in Seattle, Washington, serves an area containing almost  
8 one quarter (23%) of the land mass of the United States and has the greatest number of federally  
9 recognized tribes (271) of all HHS regions. Nearly a thousand HHS employees have duty stations  
10 in Washington State. Public reports indicate that the current federal Administration has fired  
11 thousands of HHS employees across the Department. These mass layoffs will have far-reaching  
12 impacts on basic government services.

13 11. Through the Centers for Disease Control (CDC), HHS and the Washington State  
14 Department of Health (DOH) partner to improve public health, including collaborating on  
15 disease control, infection prevention, and environmental health. According to DOH, Washington  
16 relies on the CDC's Data Modernization Initiative to improve its decision-making at all levels  
17 of public health. For example, the State relied extensively on CDC data during the COVID-19  
18 pandemic, including electronic case reporting, death data, vaccine approvals, and the like, and  
19 will similarly need to rely on such data for any major public health crisis. In 2024, the CDC  
20 worked with DOH to monitor avian flu cases in Washington. The State continues to rely on data  
21 from the CDC relating to other highly contagious diseases, including measles. The recent  
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1 measles outbreak has now reached Washington, and the State relies on adequate staffing levels  
2 at CDC to help track and contain this disease if it spreads.

3 12. The State also works extensively with the National Institutes of Health (NIH),  
4 part of HHS, which is the world's large public funder of biomedical research. I understand that  
5 nationwide, NIH employs more than 18,000 workers and funds nearly \$48 billion in scientific  
6 research. Organizations in the Seattle area alone received \$1.13 billion in NIH funding during  
7 the fiscal year ending in the third quarter of 2024. I understand that HHS firings so far have  
8 included nurses, pharmacists, patient care technicians, and other staff critical for patient care at  
9 NIH's clinical center, as well as hundreds of early-career scientists and researchers. On top of  
10 the Trump Administration's sudden limit on NIH grant funding, mass firings at HHS would have  
11 deep financial implications for Washington state's top research institutions, which depend on  
12 federal employees for grant administration. Those affected would include the University of  
13 Washington, Fred Hutch Cancer Center, Washington State University, PATH, Seattle Children's  
14 Hospital, various biotech companies, and many others.

15 13. Workforce reductions to the National Park Service, national forests, and other  
16 public lands threaten wildlife, workers, and visitors within Washington. I understand that without  
17 sufficient full-time or seasonal staff, emergency response times will drop, visitor services like  
18 safety advice and interpretation will be unavailable, bathrooms will not be properly maintained,  
19 and visitor centers and campgrounds may close. Public reports indicate that reduced staffing has  
20 already resulted in closed trails and parks.<sup>1</sup> The popular Franklin Falls Trail, Denny Creek Trail,  
21 and Sno-Park in the Mt. Baker-Snoqualmie National Forest were reported by the Washington

22 <sup>1</sup> [https://www.seattletimes.com/seattle-news/climate-lab/trumps-job-cuts-lead-to-closed-trails-staff-](https://www.seattletimes.com/seattle-news/climate-lab/trumps-job-cuts-lead-to-closed-trails-staff-shortages-in-wa/)  
23 [shortages-in-wa/](https://www.fox13seattle.com/news/trump-federal-layoffs-close-popular-wa-trails); <https://www.fox13seattle.com/news/trump-federal-layoffs-close-popular-wa-trails>



1 Trails Association on February 19, 2025, to be closed indefinitely “due to staffing concerns and  
2 hiker safety.” Tens of millions of people visit Washington’s national parks each year. And news  
3 reports indicate that Mount Rainier’s only plumber—a federal employee—was recently let go,  
4 as part of the Trump Administration’s firing of National Park Service employees. Reduced  
5 staffing will not only result in the closure of campgrounds and trails in the State, but will also  
6 lead to unsafe conditions in areas that do remain open to the public, and will hamper park  
7 rangers’ ability to assist or rescue injured visitors.

8       14. The Department of the Interior’s (DOI) State and Local Assistance Programs  
9 Division, along with selected National Park Service regional offices, also help support states and  
10 communities in acquiring and developing public parks and recreation opportunities. DOI’s State,  
11 Tribal, Local, Plans & Grants Division provides preservation planning, technical assistance, and  
12 policy guidance. The loss of use and enjoyment at Mount Rainier National Park, Olympic  
13 National Park, North Cascades National Park, and other places of outdoor recreation in  
14 Washington as a result of mass terminations of federal employees is an unimaginable  
15 development in a state that prides itself on its natural beauty, unique history, and outdoor  
16 recreation.

17       15. The State’s partnership with federal agencies is particularly important in fighting  
18 natural and climate disasters. I understand that wildfires torched over 300,000 acres in  
19 Washington in 2024. Federal cuts impacting wildfire response will significantly diminish the  
20 State’s ability to prevent such wildfires in the first instance and hamper the State’s ability to  
21 respond and contain wildfires during a fire season that increasingly lasts longer and wreaks more  
22 catastrophic harm to communities as climate conditions continue to change. Even where  
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1 firefighters keep their jobs, U.S. Forest Service support workers—dispatchers, mechanics, forest  
2 protection planners, and public information officers—were among those who lost their jobs in  
3 the federal Administration’s recent layoffs. These support personnel are critical to preventing  
4 forest fires and combating fires when they occur. Moreover, DOI’s Bureau of Land Management  
5 provides wildland firefighter training to Washington firefighters to enhance competency in fire  
6 suppression and prescribed fire, and accordingly, any terminations at that agency will have  
7 detrimental impacts on Washington’s efforts to respond to wildfires.

8       16. Terminations of federal employees at agencies like the Bureau of Reclamation  
9 and the U.S. Army Corps of Engineers likewise risk compromising critical infrastructure upon  
10 which the State and its citizens rely for electrical generation, drinking water, irrigation, flood  
11 management, and navigation. I understand that terminations have already occurred at several  
12 such facilities in Washington. For example, I understand that probationary employees working at  
13 the Grand Coulee Dam have been terminated by the Bureau of Reclamation. The Grand Coulee  
14 Dam is the largest hydropower producer in the United States, producing electricity for  
15 Washington and seven other states. I am also aware of threatened terminations at the U.S. Army  
16 Corps of Engineers. The Army Corps of Engineers maintains and operates many vital dam  
17 installations along Washington’s rivers. These include multiple major hydropower dams along  
18 the Columbia River, such as the Bonneville Dam, the Chief Joseph Dam, and the John Day Dam;  
19 the Howard Hanson Dam, which provides flood control and water supply to the city of Tacoma,  
20 WA; and the Ice Harbor Dam, a hydroelectric dam on the Snake River. The Corps also maintains  
21 and operates the Hiram Chittenden Locks, which is a chokepoint for marine traffic navigating  
22 between Lake Washington and the Puget Sound.  
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1           17.     Additionally, the federal Department of Education (ED) is responsible for  
2 managing the federal student loan portfolio, which amounts to approximately \$1.6 trillion in  
3 student loan debt. ED also maintains and collects data from every college, university, and  
4 technical and vocational program that participates in the federal student aid program, including  
5 schools and vocational programs in Washington. This data allows prospective students and their  
6 families, educational institutions, and other stakeholders to analyze and compare student  
7 admissions, academic outcomes, graduation rates, need-based aid eligibility, and similar data. In  
8 addition, ED administers grant programs that help fund K-12 schools in Washington. The largest  
9 grant programs are Title I, which provides supplemental funding to schools serving a high  
10 proportion of low-income students, and the Individuals with Disabilities Education Act, which  
11 helps schools cover the costs of educating students who receive special education services. ED  
12 is also responsible for the mechanism that gives students access to college financial aid: the Free  
13 Application for Federal Student Aid, or FAFSA. Reducing staffing at ED will threaten these  
14 student loans, data collection and dissemination, and grant programs to the detriment of  
15 Washington's students and educational institutions. Of course, eliminating ED altogether, as the  
16 Trump Administration has threatened, would be devastating to these efforts and catastrophic for  
17 enrollment at Washington universities and colleges.

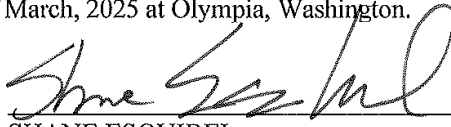
18           18.     Further, the U.S. Department of Agriculture (USDA) provides the State with  
19 invaluable data and support for agriculture, natural resources, rural development, nutrition, and  
20 related necessities. Southeastern Washington is a major agricultural area and a prime producer  
21 of wheat, lentils, and other crops. Washington relies on USDA research on how those crops grow  
22 and flourish, and how weather and drought affect crop production. Firing workers tasked with  
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1 conducting this research will harm not only to Washington's crop production, but also consumers  
2 around the world.

3 19. Finally, of the many ways in which the State relies on the National Oceanic and  
4 Atmospheric Administration (NOAA), the State relies on NOAA to run a fleet of coastal weather  
5 buoys that enable national and regional weather forecasting, safe maritime navigation, and  
6 tsunami warning systems. I understand that staff losses at NOAA could disrupt maintenance of  
7 this essential system, making it more dangerous for ships and boats that transport billions of  
8 dollars of goods each year to travel up and down the Columbia River.

9 I declare under penalty of perjury under the laws of the State of California and the United  
10 States of America that the foregoing is true and correct.

11 DATED and SIGNED this 6th day of March, 2025 at Olympia, Washington.

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13 SHANE ESQUIBEL  
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